

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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|--------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | MAGISTRATE ACTION NO. C-08-134 |
| | § | |
| LYNDA DEGIBAJA DEVARONA | § | |

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING
TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and

(2) The defendant has rebutted the presumption that no condition or combination of conditions will reasonably protect the community but she has not rebutted the presumption that there are no conditions which reasonably assure the appearance of the defendant as required.

The evidence against the defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report, supplemented by the testimony of the defendant's daughter, are adopted. The defendant has no

assets to address the risk of flight, making her a poor bond risk. This order of detention is entered without prejudice. If the defendant can produce a co-surety with sufficient non-exempt assets to address the risk of flight, this order will be reconsidered.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 5th day of March, 2008.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE